IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.309 of 2007

Ankush Jitendra Abhiman .. Petitioner

vs

The State of Maharashtra & ors ..Respondents

Ms H K Mandlik for Mr. R.K. Mendadkar for the petitioner.
Mr. R.D. Rane Government Pleader, for respondent No.1
Ms Deepa Chavan for respondent No.2

CORAM: H.L GOKHALE,Acg C.J. ,&
V.M.KANADE, J.
DATE: February 12, 2007.

P.C.:-

Heard Mrs. Mandlik appearing in support of the petition, Mr. Rane Government Pleader for respondent No.1 and and Ms Deepa Chavan for respondent No.2.

The petitioner took admission for D.Ed course and passed the examination in November 2005. He claims to belong to Kolam Scheduled Tribe. He has his caste certificate issued by the concerned authority way back in August 2003. The certificate was sent for scrutiny but it has not been done so far. The learned counsel for the petitioner has drawn our attention to the Government Resolution dated 13th July 2006 which states that in such situation the result be declared with a rider that such result will not be used for the purpose of

employment. It is also stated in the Government Resolution that it should be mentioned in the statement of marks and diploma certificate that this certificate will remain valid for service purpose only upon submission of caste validity certificate.

In the circumstances we issue Rule on the petition. Having heard the learned counsel for the parties we direct the 2nd respondent the examining body to declare the result of the petitioner and issue mark list as also diploma certificate, if he has passed the examination by making an endorsement as required by the Government Resolution dated 13th July 2006.

Rule made absolute accordingly.

ACTING CHIEF JUSTICE

V.M.KANADE, J.